

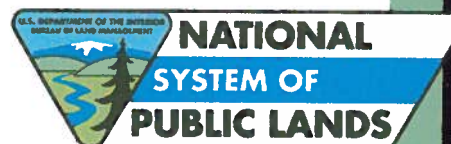
**Martin Marietta Materials**

# **Spanish Springs Quarry Mineral Sales, Conveyor Belt, and Access Road Right-of-Way**

## **Finding of No Significant Impact**

DOI-BLM-NV-C020-2011-0005-EA

**April 2011**



**Background**

The Spanish Springs Quarry is an aggregate quarry located at the north end of Spanish Springs Valley, Washoe County, Nevada. The Proposed Action involves two elements: 1) the renewal of a competitive Mineral Materials Sale Contract, and 2) the construction and operation of an aggregate conveyor belt and an associated access road. For the first action, the BLM would decide whether or not to renew the competitive Mineral Materials Sales Contract pursuant to 43 CFR 3602.47. For the second action, the BLM would decide whether to deny the proposed right-of-way, grant the right-of-way, or grant the right-of-way with modifications. Modifications may include modifying the proposed use or changing the route or location of the proposed facilities (43 CFR 2805.10(a)(1)). These two elements have independent utility. Therefore the BLM could renew the competitive Mineral Materials Sales Contract without authorizing the ROW. As the BLM has not yet received a Plan of Development (POD) for the conveyor belt and access road ROW authorization, the preliminary analysis contained in the EA may have to be supplemented with additional NEPA documentation and mitigation measures.

The 389-acre quarry has been in operations for more than 25 years and currently occupies both private and public lands. Martin Marietta Materials (MMM) acquired the operation from Rocky Ridge Incorporated in 2001. Mining is anticipated to continue at the Spanish Springs Quarry for 20 to 30 more years. Current plans involve a gradual relocation of the quarrying activities from the current BLM Mineral Materials Sale area, to the "Broken Hill Extension" on private property southwest of the existing operation. While quarrying activities are intended to gradually relocate to the Broken Hill Extension, the material processing and ancillary facilities are anticipated to remain at their current location.

In order to connect the Broken Hill Extension area to the processing and ancillary facilities, a conveyor belt and adjacent access road would be proposed in a POD to be submitted to the BLM by MMM for a ROW authorization. These improvements are planned to occur on a ROW on public lands managed by the BLM. The ROW would be located on the same land as the Mineral Material Sale.

**Land Use Plan Conformance**

Renewal of the existing competitive Mineral Material Sales contract and issuance of a ROW across public land for the proposed access road and conveyor from the Broken Hill Extension area (Proposed Action) are consistent with Federal law, BLM regulations and policy, and the BLM Carson City Field Office Consolidated Resource Management Plan (CRMP) (2001).

The Proposed Action is also in conformance with the Southern Washoe County Urban Interface Plan Amendment objectives, terms, and conditions which are incorporated into the CRMP. Administrative Actions stated in the CRMP propose to "Continue to provide mineral material commodities to the using public following these criteria: (A) Avoid duplication of pits within the same general area; (B) examine hauling distances and place sites according to acceptable visual resource management classification where possible; (C) use existing sites to the greatest extent possible; (D) for major transportation right-of-ways, place sites a minimum of 10 miles apart; and, (E) determine the life expectancy of sites and set rehabilitation requirements in advance."

The U.S. Department of the Interior's (USDOI's) mineral material disposal regulations at Title 43 Code of Federal Regulations Subpart 3600 (43 CFR 3600) and BLM policy contain provisions that allow for the exploration, development and disposal of mineral material resources on the public land, and for the protection of the resources and the environment. Likewise, USDOI regulations at 43 CFR 2800 and BLM policy contain provisions for rights-of-way and temporary use permits to any qualified individual, business entity, or governmental entity and regulate, control and direct the use of said rights-of way on public lands.

The Proposed Action, with mitigation measures proposed by MMM and accepted by the BLM, as well as additional measures stipulated by the BLM, will protect public land resources and the environment and minimize damage to public health and safety. For the conveyor belt and access road, during the permitting process, additional mitigation measures may be required and supplement NEPA compliance may also be required by the BLM.

### **Finding**

Based on the analysis of the Spanish Springs Quarry Mineral Sales, and Conveyor Belt and Access Road Right-of-Way EA (DOI-BLM-NV-C020-2011-0005-EA), I have determined that the action will not have a significant effect on the human environment and an environmental impact statement (EIS) will not be prepared. This finding and conclusion is based on the consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

### **Context:**

The Proposed Action is the disposal of 20-million tons of additional mineral material from an existing material site on public land in west-central Washoe County, Nevada, over an approximate thirty year period, and construction of a ROW corridor across public land to access the Broken Hill Expansion on private land. Surface disturbance on public lands would increase from 33 acres to 64 acres as a result of planned mineral material disposals. The ROW corridor would disturb an additional 19 acres of public land. The nearest community, Spanish Springs, Nevada, is situated directly to the south and east. The City of Reno is located 10-miles south.

The types of surface disturbance associated with this project would include continued open pit mining and processing of construction aggregates, removal of topsoil and overburden to stockpiles, construction and maintenance of access roads, and the construction and use of a conveyor system to transport material mined from private land across public land to be processed. Reclamation would be conducted concurrently once a portion of the quarry is depleted or no longer in need of utilization. At the end of mining, all ancillary facilities and equipment on the public land would be dismantled and/or removed, and all remaining surface disturbances would be reclaimed. The proposed quarrying plan for the existing Spanish Springs Quarry extends to 2042.

### **Intensity:**

1) *Impacts that may be both beneficial and adverse.* None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed any known threshold of significance, either beneficial or adverse. The Proposed Action is aggregate mining consisting of

removal of topsoil and overburden to stockpiles, construction of open pits, construction and maintenance of access roads, and the construction and use of a conveyor system to transport mined material. The Proposed Action would occur on up to 89 acres of public land within the Project Area over a 30 year period. Mine pit disturbances would be reclaimed concurrent with mining, while reclamation of all remaining surface disturbances would be completed at the termination of mining activities. The final extent of the quarry would result in a 430 foot high cut slope, with approximately a quarter of the slope area (east facing slopes) exhibiting a grade of 3.0 horizontal to 1.0 vertical (3.0H:1.0V) or flatter. The remaining slope area (north and south facing slopes) will not allow anything gentler than 2.0H:1.0V slopes across the existing topography. All mine pits would be sloped and contoured so as to be stable and drain freely into pre-existing drainages at the completion of mining.

2) *The degree to which the proposed action affects public health or safety.* The Proposed Action would not result in any impacts to public health or safety. Surface disturbing activities would be conducted in conformance with all Federal and State health and safety requirements to protect public health and safety. Reclamation of mine pits would be completed concurrent with mining, while remaining disturbances would be reclaimed as soon as practicable after operations are completed. Access restrictions and personnel working on site would keep the public away from active mining operations. All trash would be contained and hauled to an approved disposal facility. Dust from traffic associated with project activities would be minimized by observance of prudent speed limits and strategic watering of access roads when conditions warrant.

3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* There are no park lands, prime farmlands, wild and scenic rivers or ecologically critical areas in or near the Project Area analyzed in the EA. The U.S. Corps of Engineers has determined the ephemeral (intermittent) channel within Stormy Canyon to be a jurisdictional tributary. Stormy Canyon is an ephemeral drainage which crosses the public land within the project area. Stormy Canyon will not be mined but will be crossed by the conveyor system and access road associated with the Proposed Action. Therefore, disturbance of the ephemeral channel in Stormy Canyon will require a separate permit from U.S. Corps of Engineers as required under Section 404 of the Clean Water Act to protect downstream resources. MMM will prepare a POD for the BLM's review and approval for the conveyor belt and access road ROW authorization. During this process, additional mitigation may be required and supplemental NEPA documentation may also be required by the BLM.

The entire area of potential effect from the Proposed Action has been inventoried at an intensive level for the presence/absence of cultural resources. As a result of this investigation (Far Western, 2010), five new sites (four prehistoric and one historical) and one prehistoric isolate were documented and a previously recorded prehistoric site and isolate were re-located. BLM has determined that these cultural resources are not eligible for listing in the National Register of Historic Places (NRHP). Therefore, no historic properties are present, and, relative to cultural resources, there exists no need to alter the Proposed Action in order to protect public land resources and the environment. However, should unanticipated historic-era or prehistoric resources be uncovered by Project activities, these would be reported immediately to the BLM.

4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.* The Proposed Action would not have highly controversial effects on the quality of the human or natural environment. The parameters of aggregate mining and reclamation of associated roads, conveyances and mine pits are well established. The existing material site on public land has been continually mined and operated from 1985 to present. In that period of time, the project area in west-central Washoe County has progressed from being largely rural to more commercial and residential in nature. Pyramid Highway (State Route 445) is located one-mile east of the project area. The aggregate mining operation is and will continue to be readily visible from Pyramid Highway and the surrounding areas. The final extent of the quarry would result in a visible 430 foot high cut slope exhibiting a grade of 2.0H:1.0V or flatter. As reclamation proceeds concurrent to and following mining operations, mine slopes exhibiting a grade of 3.0H:1.0V or flatter will be revegetated with a native seed mix. Mine slopes in excess of 3.0H:1.0V which differ in contrast with the surrounding topography will be color-treated as necessary. The resultant topography is not likely to have a highly controversial effect.

5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.* The Proposed Action to conduct mining of aggregate material is not unique or unusual. The action described in the EA is aggregate mining consisting of removal of topsoil and overburden to stockpiles, construction of open pits, construction and maintenance of access roads, the construction and use of a conveyor system to transport mined material, and reclamation of the associated surface disturbance. There are no predicted effects on the human environment that are considered highly uncertain or involve unique or unknown risks.

6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* The Proposed Action will not establish a precedent for future actions with significant effects or represent a decision about a future consideration. This EA does not establish a precedent for other assessments or authorization of other aggregate mining projects. Any future projects within the Project Area or in surrounding areas will be analyzed on their own merits and implemented, or not, independent of the acceptance of the subject EA.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* Past, present and reasonably foreseeable future actions have been considered in the cumulative impacts analysis within Chapter 4.0 of the EA. The cumulative effects analysis examined all of the other appropriate actions and determined that the Proposed Action would not incrementally contribute to significant impacts on any of the resources that are present and may be affected by the Proposed Action.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.* The entire area of potential effect from the Proposed Action has been inventoried at an intensive level for the presence/absence of cultural resources. As a result of these investigations (Far Western, 2010), BLM has determined that no historic properties eligible for the NRHP are present within the area of potential effect. Hence, relative to cultural resources, there exists no need to alter the Proposed Action. However, should

unanticipated historic-era or prehistoric resources be uncovered by Project activities, these would be reported immediately to the BLM.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.* As described in the EA, no known threatened or endangered species or critical habitat has been identified within the Project Area.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The Proposed Action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment. An interdisciplinary team of specialists from the BLM Sierra Front Field Office were involved in preparation of the EA and officials from the U.S Fish and Wildlife Service, State of Nevada Natural Heritage Program, Washoe County, the U.S. Corps of Engineers, and the Reno-Sparks Indian Colony were notified and allowed to comment on the proposal.

  
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Linda J. Kelly  
Field Manager  
Sierra Front Field Office

5/11/2011  
Date